



## Elections

Every three years, New Zealand veterinarians elect three of their profession onto the Veterinary Council and 2007 is an election year. The Returning Officer is now calling for nominations. The back page of this Newsbrief has details of the election process.



## Minimum standards

In the December 2006 and April 2007 Newsbriefs the Council advertised the proposed Minimum Standards for practising as a veterinarian. At its May meeting the Council resolved to gazette these minimum standards and these were gazetted on 7 June 2007.

The standards have three aspects:

- a) the requirement for applicants/veterinarians to provide a fitness to practise certificate when applying for registration or for a practising certificate.
- b) the requirement for veterinarians to maintain their skills at the standards expected of a reasonable and competent practitioner. For any person who has not worked as a veterinarian for five consecutive years, or has not worked as a veterinarian for five consecutive years in the area in which they intend to practise, the Council may examine the person (sections 11(a) and 25(a)) and may if it is necessary place conditions upon the person's practising certificate (section 26(3)(c)).
- c) Continuing Professional Development.  
When considering an application for a practising certificate, the Council (section 25) may require the applicant to provide any document or information that the Council considers, on reasonable grounds, is necessary to assess his or her application. The Council may use this section and section 26 where veterinarians have not reported on their professional development for more than two consecutive years

A full copy of the gazetted standard is available on the Council's website or by contacting the Council.

The Council is currently working on how it will administer the requirements of the standard. As a fitness to practise statement is now required, it is likely that neither an application for registration nor an application for a practising certificate will be processed until the fitness to practise statement has been completed. This means that your right to practise each year will be dependent on your completion of that part of the form. The format of the fitness to practise statement is being amended using the model of other comparable bodies.

The Council is likely to only address non-compliance regarding the requirement to report continuing professional development if it persists for two years, in which case the Council may then consider withholding the right to practise until the veterinarian complies. The Council notes this is not a requirement to undertake CPD but just to report on it (a nil report can be made).

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## New Council member

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Barbara Benson is the Minister's new non-veterinary appointee to the Veterinary Council. She brings to the Council over 30 years involvement in secondary school science, biology and teacher education. Currently she is the Associate Dean (Teaching) and Director of Teacher Education at the University of Otago College of Education. Barbara has just completed a six year term on National Animal Ethics Advisory Committee in the Education position on the committee. She has long been a consumer of veterinary services since childhood having been the owner of a lovely Dalmatian called Tasha and many cats - presently she is owned by Gryf, an adventurous 3 year old ginger tom.

## Murray Gibb

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At its recent Council meeting the Council acknowledged the valuable contribution that Murray Gibb made as Chief Executive Officer of the New Zealand Veterinary Association and on the Council's Professional Standards Committee.

In particular Council members expressed their appreciation for the contribution that Murray made in the area of standard setting. Murray's vision and drive, as well as his exceptional knowledge of legal statute, have resulted in the development and implementation of codes and standards that have had a most positive impact upon standards of veterinary care in New Zealand. In addition, in his role as a member of the Professional Standards Committee of the Council, Murray has played a key role in the Council's standard setting, in particular through revisions of and additions to the Code of Conduct.

The Council expresses its appreciation of the way Murray has supported a positive professional relationship between the Council and the Association despite the quite strongly felt differences of opinion at times. Those acknowledged, the two organisations have maintained an open and honest dialogue so that areas of disagreement have not affected a professional relationship.

The Council wishes Murray success and happiness in his future endeavours.

## Change of Registrar

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Julie Haggie, Registrar for the Council since 2001, is to take maternity leave from the start of August. Her replacement will be Janet Eden, former Registrar for the Dental Council for over 10 years. Julie is due to deliver twins in October.

## Changes to the Code of Conduct

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At its May meeting the Council decided to make two minor changes to the Code of Professional Conduct. These changes had been consulted on and advised in both the December 2006 and April 2007 Newsbriefs. A change will be made to 7.2 of the Code, removing the comment that a referral veterinarian should examine an

animal in the presence of the original veterinarian. A further minor change is being made to section 5.9 of the Code to remove the reference to the NZVA being the body most proper to comment on beneficial products (this occurs infrequently).

## Complaint Report

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At 22nd May 19 complaints had been received for 2007. Eight of these had not reached the criteria to investigate. One is on hold and six are proceeding in the initial stages of correspondence. Four complaints received so far this year have been completed.

There are currently three Complaints Assessment Committees active, one relating to a 2006 complaint, and two for 2007 complaints. Eight of the fourteen complaints received in 2006 and carried into 2007 are still open: Four are still being investigated and further information is being sought. Two of the 2006 complaints are on hold, and two are going to mediation.

So there are ten complaints currently being actively investigated and this is the same number as at the same time in 2006.

Of the 2006 complaints still not closed, the CAC has had to seek legal advice on how to proceed with six complaints - both of the complaints on hold, one of the complaints

at mediation, and in three of the complaints still being investigated. Advice was required either to help interpret how to manage the complaints under the 2005 Act, or because the vet had involved solicitors, or the matters being investigated were so complex.

Of the 10 complaints that are actively being investigated at the moment, seven are about small animal care, one is related to equine treatment, and two arose from concerns about prescription animal remedies.

In four of the 10 current active complaints, further information has been or is being sought from parties other than the veterinarian and complainant, and in three of these complaints it is likely the committee will want to interview the parties involved.

The committee has received negative feedback from the complainant in one of the 2007 complaints which the committee had decided not to investigate.

## Treating Animals where the client is a 'non-payer'

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The Council received a request for advice from a veterinarian who was faced with the situation of a very sick young dog (suffering from Parvovirus) brought in by clients who were persistent non-payers.

The veterinarian requested advice on their responsibility and their ethical situation. The treatment was likely to cost several hundred dollars over an extended period of time without a guaranteed outcome of survival. Could the veterinarian a) demand payment for treatment upfront b) refuse to treat the animal. If refusal was an option, the veterinarian thought that a likely outcome would be the animal owner taking their sick dog home where its condition would deteriorate and it would suffer and also where it was likely to infect the many other unvaccinated dogs in its home area. The veterinarian was prepared to offer to euthanase the dog at no cost.

The legal responsibility lies with the animal owner, under the Animal Welfare Act 1999. Section 10 and Section 11 apply:

(s10) The owner of an animal, and every person in charge of an animal, must ensure that the physical, health, and behavioural needs of the animal are met in a manner that is in accordance with both good practice and scientific knowledge.

(s11) The owner of an animal that is ill or injured, and every person in charge of such an animal, must, where practicable, ensure that the animal receives treatment that alleviates any unreasonable or unnecessary pain or distress being suffered by the animal.

(The Animal Welfare Act can be accessed online at <http://www.legislation.govt.nz/>)

Under the Code of Professional Conduct a veterinarian, where they are aware that an animal is suffering unreasonable or unnecessary pain or distress must ensure that the matter is effectively dealt with. (s1.1). This could include carrying out an examination of the animal, or offering professional advice on the relief of the pain or distress.

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## Treating Animals where the client is a 'non-payer' continued

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This does not mean that the veterinarian is obliged to treat the animal without question or consideration of when or if the treatment will be paid for. In the situation described above, they could for example offer the animal owner options of treatment (with likely cost and outcomes), or they could offer euthanasia or suggest the owners seek alternative advice. The responsibility for the care for the animal lies with the owner. In situations where a veterinarian is aware that the owner will not uphold their responsibility to their animal under the Animal Welfare Act, the veterinarian may consider

reporting that person using the MAF Animal Welfare hotline on 0800 327 027 or they may ring their local SPCA.

Under the law (Animal Welfare Act) vets may (and sometimes must) take action to destroy an animal that is suffering unreasonable or unnecessary pain or distress but there are rules around how they can do that and it is unlikely that this part of the law could be used to deal with a situation described above with a known client owner.

## Council considers prosecution for practising without a practising certificate

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It is a breach of the Veterinarians Act for a person to practise as a veterinarian (or use the term veterinarian to describe themselves) if they do not hold a current practising certificate. At the start of the practising year there is usually a small number of people in this position (as well as likely breaching the registration requirements for prescribing animal remedies under the Agricultural Compounds and Veterinary Medicines Act 1997 and section 15 of the Animal Welfare Act 1999 (restricting acts of surgery to veterinarians) and having invalid insurance). The Council offers a rebate for early payment

and sends out reminder notices early in April. There are generally explainable reasons why someone has not renewed. However, there are also instances where a few veterinarians have, year after year, neglected completing their application, paying their fee and responding to reminder letters, emails and phone calls. This year, for the first time, the Council warned two veterinarians that it intended referring the matter to MAF for prosecution as summary conviction. In the future the Council will not hesitate to refer such matters to MAF.

## Newly Registered Specialists

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Two specialists have achieved specialist registration this year and several more are in the pipeline for registration.

### Dr Isobel Gibson – Veterinary Anatomic pathology

In March 2007 Isobel Gibson gained specialist registration in Veterinary anatomic pathology. Isobel is a 1996 honours veterinary graduate from the Ontario Veterinary College (University of Guelph) and did a combined post-graduate degree and residency training leading to a Doctor of Veterinary Science at the Ontario Veterinary College in 2002. In 2003 Isobel passed the Board Examinations with the American College of Veterinary Pathologists, in Veterinary anatomic pathology.

Isobel's thesis for her degree centred on the immunology of bovine pneumonia caused by *Mannheimia haemolytica*, and she maintains an interest in infectious disease

affecting both large and small animals. Isobel also maintains an interest in small animal dermatology, and enjoys a little avian and exotic animal pathology for variety.

Dr Gibson is currently employed full time as an anatomic pathologist for New Zealand Veterinary Pathology in Hamilton. As well as being a member of the American College of Veterinary Pathologists, Dr. Gibson is also a member of the American Association of Veterinary Laboratory Diagnosticians, the NZ Society for Comparative and Veterinary Pathology and the International Society for Veterinary Dermatology.

## Council intends to raise NZNVE fees

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The Council is giving notice that it intends to increase the fees for the New Zealand National Veterinary Examination, effective 1 January 2008. It invites comment from members of the profession before doing so. Whilst the Act does not require consultation on this particular fee, the Council considers it useful to advise veterinarians and allow an opportunity to comment before it makes its final decision.

The New Zealand National Veterinary Examination is run by the Council to assess overseas graduates whose veterinary degree is not 'recognised' for registration. It is made up of a multiple choice examination and a written/clinical examination of nine stations. Massey University contracts with the Council to conduct the written/clinical examination over several days at Massey University. The preliminary or multiple choice examination is administered by the Council using questions from a database owned by the Australasian Veterinary Boards Council.

The current fee for the examination is \$780 for each attempt at the preliminary examination, \$3,400 for each attempt at the clinical examination and \$400 for each supplementary examination. The Council is planning to increase these fees to \$1000 for the preliminary examination, \$5,000 for the clinical examination and

\$500 for each supplementary examination.

In terms of direct operational costs the Council has subsidised the examination by a total of \$12,400 over the last two years. The charge from Massey University for conducting the exam remains static for any number up to around 9 or 10, as that number requires the same number of animals, examiners, rooms and equipment. When candidate numbers sitting are low, as happened in 2005 and 2006, the Council covered the fee shortfall to a considerable extent. With up to around 9-10 candidates the level of direct subsidisation is lower. When numbers are above 10, more examiners, rooms, animals and time are needed, which again increases the cost and subsidisation.

The figures on which the increase is based take into account only the direct cost of the examination and not the operational costs (VCNZ staff time running the examination, consideration by the Registration Committee of appeals and policy, legal costs associated with court appeals etc). A valid comparison is the equivalent self-funding Australian examination, run by the AVBC in Melbourne which costs candidates AUD\$2,900 to sit the preliminary examination and AUD\$7,260 per attempt at the clinical examination.

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### Dr Fiona Hollinshead – Veterinary reproduction (small animal)

In March of this year Dr Hollinshead gained specialist registration in veterinary reproduction (small animal).

Dr Hollinshead is a 1996 honours graduate of The University of Sydney. She gained her PhD from Sydney in 2004, and in 2006 she passed the Board examinations with the American College of Theriogenologists after a two year clinical residency programme at the Cornell University College of Veterinary Medicine in New York.

Whilst at Cornell her clinical research projects focused on included the 'development of equine multiple ovulation protocols with porcine FSH and vitrification of non surgically collected embryos', and the

determination of calcium and parathyroid hormone levels during parturition in the bitch. Her PhD thesis was titled 'Flow cytometric sorting of ram spermatozoa: "Production of offspring of a pre-determined sex using in vivo and in vitro fertilisation."

Dr Hollinshead currently works for Matamata Veterinary Services where she works mainly in the field of small animal clinical reproduction. Prior to working at Matamata she worked as Veterinary Registrar in the Anaesthetic Unit at The University of Sydney, and also worked in Animal Reproduction in Sydney as well as spending time as a small animal practitioner in New South Wales and the United Kingdom.

## Workforce survey 2007 – Part-time/full time work

The information below shows that, as expected, there are more female veterinarians working part-time than males. Women are more likely to work part-time during their 30s and 40s. 215 women in their 30s and 40s indicated that they were working part-time (there are 625 women in those age groups with current practising certificates). Men are more likely to work part-time in their 50s and 60s, this is due to the larger number of male veterinarians in those age groups

Part-time was defined as less than 30 hours per week.

Female	20-30	31-40	41-50	51-60	61-70	70+	Unknown	Other	
Part-time	12	105	110	23	3	0			
Full-time	165	201	133	52	0	0			
	177	306	243	75	3	0	9	15	828
Male	20-30	31-40	41-50	51-60	61-70	70+	Unknown	Other	
Part-time	0	7	20	38	38	14			
Full-time	64	219	299	310	94	5			
	64	226	319	348	132	19	9	11	1128
									1956

Workforce	20-30	31-40	41-50	51-60	61-70	70+	Unknown	Other	
Women	199	350	275	89	4				
Men	66	246	344	377	145	23			
	265	596	619	466	149	23			2118
Survey answered by	241	532	562	423	135	19	18	26	1956

### Workforce Survey 2007 – Area of practice (clinical practice only) by full time/part time

% of time	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	Unknown	
	75-100%	75-100%	50-74%	50-74%	25-49%	25-49%	0-24%	0-24%	%	
<b>Companion Animals</b>										
Cats & Dogs	398	176	99	15	114	13	274	77	15	1181
Pocket Pets	3	0	1	0	5	0	284	126	4	423
Avian	0	0	0	1	3	0	192	74	5	275
<b>Production Animals</b>										
Beef cattle	2	1	13	3	53	8	240	39	6	365
Dairy Cattle	157	27	117	9	84	12	177	27	11	621
Pigs	6	0	2	0	1	0	18	0	0	27
Sheep	13	2	9	1	48	3	209	35	4	324
Deer	3	2	4	1	19	2	88	14	5	138
Goats	0	0	0	0	1	21	0	7	1	30
Lifestyle block animals	0	1	1	0	5	1	75	16	4	103
Other	15	0	8	1	9	3	65	9	1	111
	196	33	154	15	220	50	872	147	32	1719
Equine	77	17	16	4	38	5	196	44	8	405
Wildlife	3	0	1	1	4	0	31	9	3	52

## Biosecurity notice

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### **New fee structure for services associated with the export of live animals and germplasm.**

From 1 July 2007. The new Biosecurity New Zealand fees are set under the Animal Products (Fees, Charges, and Levies) Regulations 2007. AgriQuality have also advised a change in their charges. MAF approved veterinarians to certify cats and dogs (including semen) to Australia will now be charged the reduced amount of \$53.15 (incl GST) per export certificate provided – refer to the cost breakdown below. Biosecurity New Zealand highly recommends that approved veterinarians lower the cost of these export certificates to clients accordingly and that the Biosecurity New Zealand Unit Fee is clearly identifiable on client invoices.

Biosecurity New Zealand Unit Fee (per certificate)	\$25.00
AgriQuality charges (administration and programme management fees)	\$28.15
	\$53.15

Karen Sparrow  
Manager Exports  
Preclearance Directorate  
Biosecurity NZ

## Statutes Amendment Bill – Proposed changes

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The Council has sought some technical amendments to the Veterinarians Act via the Statutes Amendment Bill, which would clean up some clauses that have proved slightly problematic or overly bureaucratic since the introduction of the bill. These changes have been approved and are now moving through the drafting process.

The changes include

- provision for the Council to register someone if they are eligible to have a veterinary degree (which would allow the Council to fully register Massey graduates prior to their graduation in the year following their course completion)
- inclusion of the ability for the Council to consider whether a veterinarian is a fit and proper person when it considers their application for registration or for limited registration. This is implied but not specified in the Act.
- removal of the requirement for the Council to have to gazette the branches of veterinary science that it designates as specialist branches; as well as the forms of application for registration and application for a practising certificate. These were unnecessarily included in the Act.
- removal of the restriction on the Council's ability to enquire about convictions more than seven years prior to application for registration. This could potentially allow people to apply for registration who gained very serious (or numerous) convictions more than seven years prior to registration. This was an unforeseen consequence of the drafting of the 2005 Act.
- inclusion of the ability for the Council to decline registration if the person has been subject to disciplinary proceedings or struck off in New Zealand as well as overseas (e.g. who may have been struck off as a medical practitioner, then seeks registration after completing veterinary training).
- inclusion of the ability for the CAC to 'at any time' refer a complaint issue for competence or medical assessment (at the moment the wording stipulates referral only following an investigation). This was also an unforeseen consequence of the drafting of the 2005 Act
- inclusion of the ability for the Council to undertake a competence assessment of its own accord and not just at the recommendation of the Complaints Assessment Committee. This had been agreed during the drafting process but was left out of the final draft.
- amendment of the delegatory functions of the Council to clarify that administrative decisions can be undertaken by the Council.

# To All Veterinarians,

## Election of Veterinarians to be Members of the Veterinary Council of New Zealand

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The Veterinary Council of New Zealand, as constituted under Section 73 of the Veterinarians Act 2005 includes three veterinarians elected by veterinarians in accordance with the Veterinarians (Elections) Regulations 2006.

Under the Veterinarian (Elections) Regulations 2006, I hereby inform you that, if there are more nominations than vacancies, an election of members of the Veterinary Council will be carried out by a poll to be held on 22 November 2007. I invite nominations for candidates for this election.

Only a veterinarian whose name appears on the register and who holds a current practising certificate for the 2007-08 practising year at 5 pm on the day nominations close (27 September 2007), 56 days before the election day, shall be eligible to stand for election and/or vote in this election.

### Nomination requirements:

Every nomination:

- a) must be in a form approved by the returning officer and
- b) must be made by two or more veterinarians; and
- c) must be assented to by the candidate in writing; and
- d) must be given or sent to the returning officer.

Nomination forms and rules on the profile statement which can accompany the nomination are available by contacting the Registrar at the Veterinary Council of New Zealand. Nominators should be aware that their names will be published along with a short profile of the nominee which will accompany the ballot papers.

The nomination shall be forwarded to myself to reach me not later than 27 September 2007 (56 days before the date of the election). Any nomination not received within that time shall be invalid and shall be disregarded.

If the number of candidates is equal to or fewer than the number of vacancies, the returning officer shall declare the candidate or candidates so nominated to be duly elected. If the number of candidates exceeds the number of vacancies then an election will be conducted by postal ballot.

The address on the envelope containing this circular is the address shown against your name in the register of veterinarians. Please advise the Council at once if it is incorrect. The Veterinary Council Office can supply copies of the Elections Regulations, nomination forms and rules on the nominee profile.

### Timeline of 2007 Election:

Veterinarians advised in <i>Newsbrief</i>	By 21 August
Nominations close	27 September (exact date)
Ballot papers mailed	11 October
Ballot closes, votes counted	22 November (exact date)
Candidates and Council notified	22 November
Gazette Notice, Minister notified	December
Registered vets notified by <i>Newsbrief</i>	December



Philip Noel Ross JP  
Returning Officer